



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov
DW Nov-06

MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON MA 02111

COPY MAILED

NOV 14 2006

OFFICE OF PETITIONS

In re Application of	:	
Leventhal et al.	:	DECISION ON PETITION TO
Application No. 10/633,179	:	WITHDRAW HOLDING OF
Filed: 1 August, 2003	:	ABANDONMENT
Atty Docket No. 25739-024	:	

This is a decision on the "REQUEST TO WITHDRAW HOLDING OF ABANDONMENT UNDER 37 CFR 1.181" filed on 6 September, 2006, which is treated as a petition to withdraw the holding of abandonment in the above-identified application.

The petition is GRANTED.

A Notice of Abandonment was mailed on 22 August, 2006, stating that the application was abandoned for failure to timely file a proper reply to the non-final Office action mailed on 11 January, 2006.

Petitioners assert that a timely reply to the non-final Office action, consisting of an amendment and a three (3) month extension of time, was filed on 11 July, 2006, and that the holding of abandonment should be withdrawn.

Upon review, it is noted that the reply filed on 11 July, 2006, has been located and associated with the above-identified file. As such, it is obvious that a response was timely filed, but was not associated with the correct application due to Office error. As such, there is no abandonment in fact. The Office regrets the error.

The holding of abandonment is withdrawn. The Notice of Abandonment is vacated.

The application is referred to Technology Center Art Unit 3724 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3231.



Douglas I. Wood
Senior Petitions Attorney
Office of Petitions